

SENATE JOURNAL

EIGHTY-SIXTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

THIRTEENTH DAY

(Wednesday, February 13, 2019)

The Senate met at 11:00 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Alvarado, Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Hinojosa, Huffman, Hughes, Johnson, Kolkhorst, Lucio, Menéndez, Miles, Nelson, Nichols, Paxton, Perry, Powell, Rodríguez, Schwertner, Seliger, Taylor, Watson, West, Whitmire, Zaffirini.

The President announced that a quorum of the Senate was present.

Pastor Donte R. Banks, GodChasers Community Church, San Antonio, offered the invocation as follows:

Most gracious and wise Father, we thank You for this day, for this is the day that You have made, and we will rejoice and be glad in it, a new day filled with new opportunities and new mercies, both seen and unseen, where again we were blessed to open the eyes of our hearts and behold the glory of Your goodness. So, now this day we approach Your throne with humility and boldness praying, give us this day our daily bread, our daily portion of who You are, so that we can be the absolute best of who we are. This day we pray for the lost, the broken, and the brokenhearted. This day we pray for the sick, the lame, the dis-eased, and the destitute. This day we pray for the poor and the poor in spirit. This day we pray for the leadership of our great State of Texas, knowing that the heart of the king is in the hand of the Father. I ask this in the name that is above every name, the name of Your precious son, Jesus Christ. Amen and Amen.

Senator Whitmire moved that the reading of the Journal of the proceedings of the previous day be dispensed with and the Journal be approved as printed.

The motion prevailed without objection.

PHYSICIAN OF THE DAY

Senator Whitmire was recognized and presented Dr. Bich-May Nguyen of Houston as the Physician of the Day.

The Senate welcomed Dr. Nguyen and thanked her for her participation in the Physician of the Day program sponsored by the Texas Academy of Family Physicians.

BIRTHDAY GREETINGS EXTENDED

Senator Huffman was recognized and, on behalf of the Senate, extended birthday greetings to Senator Zaffirini.

SENATE RESOLUTION 168

Senator Perry offered the following resolution:

SR 168, Welcoming the members of the Abilene delegation to the Capitol.

PERRY
BUCKINGHAM

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Perry, joined by Senators Buckingham and Schwertner, was recognized and introduced to the Senate a delegation from Abilene including members of the Abilene Chamber of Commerce.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Fallon, joined by Senators Nelson and West, was recognized and introduced to the Senate a University of North Texas System delegation, accompanied by Chancellor Lesa Roe.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Birdwell was recognized and introduced to the Senate a Hood County Day delegation: County Commissioner Ron Cotton; City of Granbury representatives Mayor Nin Hulett; Councilmembers Tony Mobly, Trish Reiner, Greg Corrigan, and Bruce Wadley; City Manager Chris Coffman; and Tammy Dooley; Granbury ISD representatives Board President Mark Jackson, Superintendent Jeremy Glenn, and Dobie Williams; and Granbury Chamber of Commerce representatives Board Chair Mike Loter, President and CEO Mike Scott, and Treasurer Cody Garrison.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Taylor was recognized and introduced to the Senate the Clear Lake Area Chamber of Commerce Leadership class of 2019 including Chamber President Cindy DeWease.

The Senate welcomed its guests.

SENATE RESOLUTION 176

Senator Hinojosa offered the following resolution:

SR 176, Recognizing February 13, 2019, as Mission Day.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Hinojosa, joined by Senators Lucio and Menéndez, was recognized and introduced to the Senate a delegation from Mission including Mayor Armando O'Caña; Councilmembers Norie Gonzalez Garza, Jessica Ortega-Ochoa, Ruben Plata, and Gus Martinez; and City Manager Randy Perez.

The Senate welcomed its guests.

SENATE RESOLUTION 179

Senator Creighton offered the following resolution:

SR 179, Recognizing February 13, 2019, as Chambers County Day.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Creighton, joined by Senator Flores, was recognized and introduced to the Senate a delegation from Chambers County including representatives from the City of Mont Belvieu, Barbers Hill ISD, City of Anahuac, Anahuac ISD, Anahuac Area Chamber of Commerce, East Chambers ISD, West Chambers County Chamber of Commerce, and Winnie Area Chamber of Commerce.

The Senate welcomed its guests.

SENATE RESOLUTION 185

Senator Rodríguez offered the following resolution:

SR 185, Commending Diana Natalicio for her service as president of The University of Texas at El Paso.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Rodríguez was recognized and introduced to the Senate The University of Texas at El Paso President Diana Natalicio and Executive Vice-president Richard Adatao.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Buckingham was recognized and introduced to the Senate a Texas State Land Title Association delegation.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Fallon was recognized and introduced to the Senate a Texas Woman's University delegation, accompanied by Chancellor and President Carine Feyten.

The Senate welcomed its guests.

SENATE RESOLUTION 175

Senator Hinojosa offered the following resolution:

SR 175, Recognizing February 13, 2019, as Texas State Aquarium Day.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Hinojosa was recognized and introduced to the Senate a Texas State Aquarium delegation including Tom Schmid, President and CEO; Courtney McLain, Vice-president of Development; and Julie Buckley, Chair, Board of Trustees.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Flores was recognized and introduced to the Senate a delegation from Val Verde County including County Judge Lewis Owens; Commissioners Juan Carlos Vazquez, Robert Beau Nettleton, and Gustavo Flores; District Attorney Michael Bagley; Sheriff Joe Frank Martinez; Del Rio Mayor Bruno Lozano; Councilmembers Elizabeth Elizalde de Calderon and Alfredo "Fred" Carranza; Linda Guanajuato-Webb; Carlos Rios; Manuel Chavez; Rowland Garza; Sergio Diaz; and Blanca Larson.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Fallon, joined by Senator Nelson, was recognized and introduced to the Senate a Gainesville Area Chamber of Commerce delegation including Morgan Moore and Parker Preston.

The Senate welcomed its guests.

MESSAGES FROM THE GOVERNOR

The following Messages from the Governor were read and were referred to the Committee on Nominations:

February 13, 2019

Austin, Texas

TO THE SENATE OF THE EIGHTY-SIXTH LEGISLATURE, REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be members of the Texas Board of Physical Therapy Examiners for terms to expire as indicated:

To Expire January 31, 2023:

Manuel A. "Tony" Domenech, Ed.D., D.P.T.

Austin, Texas

(replacing Robert "Gary" Gray of Midland whose term expired)

Donivan J. Hodge
Spicewood, Texas
(replacing Daniel Reyna of Waco whose term expired)

Barbara L. Sanders, Ph.D.
Austin, Texas
(Dr. Sanders is being reappointed)

To Expire January 31, 2025:
Melissa A. Skilleem, D.P.T.
Manvel, Texas
(replacing Shari C. Waldie of Austin whose term expired)

To be Judge of the 95th Judicial District Court, Dallas County, for a term until December 31, 2020 or until his successor shall be duly elected and qualified:

David W. Evans
Cedar Hill, Texas
(replacing Justice Ken Molberg of Dallas who was elected to the Fifth Court of Appeals)

To be Judge of the 405th Judicial District Court, Galveston County, for a term until December 31, 2020 or until his successor shall be duly elected and qualified:

Jared S. Robinson
Friendswood, Texas
(replacing Judge Michelle M. Slaughter of League City who was elected to the Court of Criminal Appeals)

Respectfully submitted,

/s/Greg Abbott
Governor

**MESSAGE FROM THE SPEAKER
OF THE HOUSE OF REPRESENTATIVES**

The following message from Speaker Bonnen was read and was referred to the Committee on Nominations:

DENNIS BONNEN
State Representative - Speaker

February 1, 2019

The Honorable Dan Patrick
Lieutenant Governor of the State of Texas
P.O. Box 12068
Austin, TX 78711-2068

Dear Governor Patrick:

On December 20, 2018, Speaker Joe Straus appointed James R. Kee to the Employees Retirement System of Texas Board of Trustees.

This appointment is subject to confirmation by the Senate. I respectfully request the advice, consent and confirmation of the Senate with regard to the appointment of Mr. Kee for service in this role.

If you have any questions or need additional information concerning this matter, please do not hesitate to contact Gardner Pate in my office at (512) 463-1100.

Sincerely,

/s/Dennis Bonnen
Speaker

RESOLUTIONS SIGNED

The President announced the signing of the following enrolled resolutions in the presence of the Senate: **SCR 16, HCR 63.**

MOTION IN WRITING

Senator Hughes offered the following Motion In Writing:

Mr. President:

I move to suspend Senate Rule 11.13 so that committees may meet during the reading and referral of bills.

HUGHES

The Motion In Writing was read and prevailed without objection.

GUESTS PRESENTED

Senator Lucio was recognized and introduced to the Senate Port of Brownsville Police Chief Carlos Garcia, Brian Wilson, and Tommy Hansen.

The Senate welcomed its guests.

CO-AUTHORS OF SENATE BILL 3

On motion of Senator Nelson, Senators Creighton, Fallon, Flores, Lucio, Nichols, Perry, and Taylor will be shown as Co-authors of **SB 3.**

CO-AUTHOR OF SENATE BILL 14

On motion of Senator Nichols, Senator Buckingham will be shown as Co-author of **SB 14.**

CO-AUTHOR OF SENATE BILL 147

On motion of Senator Rodríguez, Senator Menéndez will be shown as Co-author of **SB 147.**

CO-AUTHOR OF SENATE BILL 188

On motion of Senator Miles, Senator Menéndez will be shown as Co-author of **SB 188.**

CO-AUTHOR OF SENATE BILL 314

On motion of Senator Zaffirini, Senator Menéndez will be shown as Co-author of **SB 314.**

CO-AUTHOR OF SENATE BILL 317

On motion of Senator Hughes, Senator Flores will be shown as Co-author of **SB 317**.

CO-AUTHOR OF SENATE BILL 355

On motion of Senator West, Senator Kolkhorst will be shown as Co-author of **SB 355**.

CO-AUTHOR OF SENATE BILL 436

On motion of Senator Nelson, Senator Menéndez will be shown as Co-author of **SB 436**.

CO-AUTHOR OF SENATE BILL 633

On motion of Senator Kolkhorst, Senator Perry will be shown as Co-author of **SB 633**.

CO-AUTHOR OF SENATE JOINT RESOLUTION 24

On motion of Senator Kolkhorst, Senator Seliger will be shown as Co-author of **SJR 24**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Welcome Resolution

SR 193 by Fallon, Welcoming members of Leadership Gainesville to the State Capitol.

Official Designation Resolutions

SR 186 by Nelson, Recognizing February 14, 2019, as Texas Council on Family Violence Day.

SR 192 by Zaffirini, Recognizing March 6, 2019, as San Patricio County Day.

SR 194 by Kolkhorst, Recognizing February 20, 2019, as Texas Dental Association Legislative Day.

HCR 46 (Johnson), Recognizing February 9 to 16, 2019, as Texas Court Reporting and Captioning Week.

RECESS AND MOTION TO ADJOURN

On motion of Senator Whitmire and by unanimous consent, the Senate at 12:11 p.m. agreed to recess until 11:00 a.m. tomorrow for the introduction of bills and resolutions on first reading.

The Senate further agreed to adjourn, upon completion of the introduction of bills and resolutions on first reading, until 11:00 a.m. Tuesday, February 19, 2019.

APPENDIX

RESOLUTIONS ENROLLED

February 12, 2019

**SCR 16, SR 37, SR 89, SR 142, SR 144, SR 145, SR 183, SR 184, SR 187,
SR 188, SR 189**